

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Roger NITSCH et al.

Serial No.: 09/831,754

Examiner: Unassigned

Filed: May 14, 2001

Group Art Unit: Unassigned

For: METHODS OF DIAGNOSING OR TREATING NEUROLOGICAL DISEASES AND CELL DEGENERATION

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF
APPLICATION UNDER 37 C.F.R. §1.53**

Commissioner of Patents
Washington, D.C. 20231

**Attention: APPLICATION BRANCH
MISSING PARTS OF APPLICATION**

Sir:

In response to the Notice To File Missing Parts mailed June 13, 2001, copy attached, attached hereto are:

- Declaration of the Inventors.
- Response to Notice to Comply with Sequence Rules.
- Amendment.
- Petition for Extension of Time

Reeln. Ref: 11/08/2001 UEDUVIJE 0010365900
DA#:061358 Name/Number:09831754
FC: 704 \$130.00 CR

	<u>Small Entity</u>	<u>Large Entity</u>	
Basic Filing Fee	\$370	\$740	= \$
Total Claims <u> </u> - 20 = 0	\$9	\$18	= \$
Indep. Claims <u> </u> - 3 = 0	\$42	\$84	= \$
<input checked="" type="checkbox"/> Surcharge - Late Filing	\$65	\$130	= \$130.00
<input checked="" type="checkbox"/> Extension Fee under 37 CFR §1.17		\$400.00	
TOTAL FILING FEES		\$530.00	

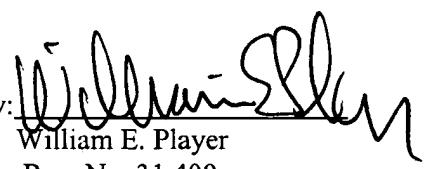
Please find enclosed a check in the amount of \$530.00 is enclosed for the Surcharge-Late filing fee and Petition for Extension of Time. The Commissioner is hereby authorized as set forth in §1.16 or §1.17 to debit Deposit Account No. 06-1358 as needed in order to effect proper filing of the application.

10/19/2001 UEDUVIJE 00000016 09831754

01 FC:154 130.00 OP

Adjustment date: 11/08/2001 UEDUVIJE
 10/19/2001 UEDUVIJE 00000016 09831754
 01 FC:154 -130.00 OP

Respectfully submitted,

By: 
 William E. Player
 Reg. No. 31,409

JACOBSON HOLMAN PLLC
 400 Seventh Street, N.W.
 Washington, D.C. 20004-2201
 (202) 638-6666
 Date: October 15, 2001

NO
9-18-01



WEP

P66566USO

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT
United States Patent and Trademark Office
Washington, D.C. 20231
www.uspto.gov

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/831754	NITSCH	R P66566USO
INTERNATIONAL APPLICATION NO.		
PCT/EP99/08744		
I.A. FILING DATE	PRIORITY DATE	
12 NOV 99 12 NOV 98		
DATE MAILED: 13 JUN 2001		

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated Office (37 CFR 1.494) an Elected Office (37 CFR 1.495):

- U.S. Basic National Fee. Indication of Small Entity Status.
 Copy of the international application. Translation of the international application into English.
 Oath or Declaration of inventors(s). Translation of Article 19 amendments into Englis**JACOBSON HOLMAN PLLC**
 Copy of Article 19 amendments. Other:
 Priority Document.
 The International Preliminary Examination Report in English and its Annexes, if any. **Response Due On Or Before 8/13/01**
 Translation of Annexes to the International Preliminary Examination Report into English.

Month Day Year

2. Applicant has requested early processing under 35 U.S.C. 371(f) but has not filed the following indicated items and/or the indicated items in paragraph 3 below. The Basic National Fee and the copy of the international application must be filed prior to 20 or 30 months from the priority date to avoid abandonment.

- U.S. Basic National Fee. Copy of the international application.

3. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- a. Translation of the application into English. A processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
 The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
 c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), properly identifying the application (preferably by the International application number and international filing date). A surcharge will be required if submitted later than the appropriate 20 or 30 months from the priority date.
 The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)). PREPAID.

4. Additional claim fees of \$ _____ as a large entity small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

5. Applicant has not submitted the required sequence listing pursuant to 37 CFR 1.821-1.825. See attached PCT/DO/EO/920.

ALL OF THE ITEMS SET FORTH IN 3(a)-3(d), 4 AND 5 ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 22 OR 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

6. If box 3a or 3c is checked, a translation of the Annexes MUST be submitted no later than the time period set above or the Annexes will be cancelled. A processing fee will be required if submitted later than 20 or 30 months from the priority date.
7. The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice MUST be returned with this response.

Enclosed: PCT/DO/EO/917 Notice of Defective Translation
 PTO-875 PCT/DO/EO/920

Shakeel Ahmed



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT
United States Patent and Trademark Office
Washington, D.C. 20231
www.uspto.gov

U.S. APPLICATION NO.		FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/831754		NITSCH	R P66566USO
		INTERNATIONAL APPLICATION NO.	
		PCT/EP99/08744	
		I.A. FILING DATE	PRIORITY DATE
		12 NOV 99	12 NOV 98
		DATE MAILED:	
		13 JUN 2001	

**NOTIFICATION TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS
CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE
DISCLOSURES**

Applicant has submitted papers under 35 U.S.C. 371 to enter the national stage in the United States of America. The items indicated below, however, are missing. The period within which to correct the deficiency noted below and avoid abandonment is set forth in the accompanying Notification.

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):

- The application fails to comply with the requirements of 37 CFR 1.821-1.825.
- This application does not contain, a "Sequence Listing" as a separate part of the disclosure on paper copy or compact disc, as required by 37 CFR 1.821(c).
- A copy of the "Sequence Listing" in computer readable format has not been submitted as required by 37 CFR 1.821(e).
- A copy of the "Sequence Listing" in computer readable form has been submitted. The content of the computer readable form, however, does not comply with the requirements of 37 CFR 1.822 and/or 1.832, as indicated on the attached marked-up copy of the "Raw Sequence Listing."
- The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 CFR 1.825(d).
- The paper copy or compact disc of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 CFR 1.821(e).
- Other: _____

APPLICANT MUST PROVIDE:

- An initial or substitute computer readable form (CRF) of the "Sequence Listing."
- An initial or substitute paper copy or compact disc of the "Sequence Listing," as well as an amendment directing its entry into the specification.
- A statement that the contents of the paper or compact disc and the computer readable form are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b) or 1.825(d).

FOR QUESTIONS REGARDING COMPLIANCE WITH THESE REQUIREMENTS, PLEASE CALL:

- (703) 308-4216, for Rules interpretation,
- (703) 308-4212, for CRF submission help,
- (703) 287-0200, for PatentIn software help.

Shakeel Ahmed

Telephone: 703-305-3659